

Terryl Ulmer  
March 28, 2014

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

JEANETTER GRAHAM, ETC. PLAINTIFF

VERSUS CAUSE NO. 2:13CV67-KS-MTP

ALEX HODGE, ET AL. DEFENDANTS

\*\*\*\*\*

DEPOSITION OF TERRY M. ULMER

\*\*\*\*\*

APPEARANCES NOTED HEREIN

DATE: MARCH 28, 2014  
PLACE: WYATT, TARRANT & COMBS  
4450 OLD CANTON ROAD, STE 210  
JACKSON, MISSISSIPPI  
TIME: 11:26 A.M.

REPORTED BY: TODD J. DAVIS  
CSR #1406, RPR

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TERRYL MONKEITH ULMER,  
having been first duly sworn, was examined and  
testified under oath as follows:

EXAMINATION BY MR. DARE:

Q. Can you state your full name for the record, please, sir?

A. Terryl Monkeith Ulmer. Terryl,  
T-E-R-R-Y-L. Monkeith, M-O-N-K-E-I-T-H. Ulmer,  
U-L-M-E-R.

Q. And, Reverend Ulmer, have you ever given a deposition before?

A. No, I haven't.

Q. Basically, this is my opportunity to sit down and talk with you about what you remember about Mr. Albert Graham and, specifically, the -- any information you may have about the suit that Ms. Jeanette Graham has filed against the Jones County Sheriff's Department.

As you notice, we have a court reporter over here taking down everything that you and I say. Lot easier on him if you don't answer while I'm still asking. Also, if you say uh-huh or uh-uh, which I know a lot of people in the South do, I will ask you to say yes or no, so that it looks better on the record.

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If you ever don't understand one of my questions, please, ask me to rephrase it. Attorneys have a -- are notorious for asking sometimes horrible questions. And so -- but if you answer, I'm going to assume that you understood the question.

For starters, I have noticed that you are a reverend. Where -- where do you --

A. I pastor at Mt. Vernon Missionary Baptist Church in Soso, Mississippi.

Q. Where is Soso? That's in Jones County?

A. In Jones County, exactly.

Q. How long have you been doing that?

A. This is my fourth year.

Q. Have either Albert Graham or Jeanetter Graham -- have either one been -- ever been in your congregation?

A. Well, Sister Graham -- Jeanetter Graham, she's part of the -- my home church. And I was a associate pastor at that church during that time. So we actually fellowshiped together, I guess you would say, per se.

Q. Where was that home church?

A. West Pleasant Grove Missionary Baptist Church.

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1 Q. Okay. Did Albert Graham ever go to West  
2 Pleasant Grove Missionary Baptist Church?

3 A. He did. Wasn't often, but he did attend  
4 occasionally. I think -- I want to say they got  
5 married there, if I'm not mistaken.

6 Q. If I understand you correctly --

7 A. I take that back. No. They didn't get  
8 married there. I think they got married at  
9 another church. So...

10 Q. I believe, according to some records I  
11 received, that you actually went up to the jail to  
12 speak with Albert Graham, did you not?

13 A. Yes, I did.

14 Q. Do you remember when that was?

15 A. It has been several years ago. It was  
16 actually after the incident that him and her had.  
17 And I try to as a minister to go and visit people  
18 that I know that I affiliate with in the church  
19 atmosphere and also as a personal atmosphere.

20 But, yes, I did go up to speak with  
21 him on occasion. I think maybe twice I went up to  
22 see him and visit him during that time.

23 Q. Did you first go up there at the request  
24 of Jeanetter Graham, or had you just heard that he  
25 was incarcerated and go up to see him?

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1 her I was. And she asked if I would take him some  
2 personal items.

3 And if I can remember exactly  
4 the -- I think she did say his medication, because  
5 when she gave it to me, it was in a -- one of  
6 those plastic grocery Wal-Mart like type bags,  
7 kind of wrapped up. So I didn't -- I didn't look  
8 into it or pry into it.

9 I just -- when I got there, I said  
10 that she sent some items that she thought he would  
11 need. And I think they looked through it and said  
12 that they couldn't accept it from that point.

13 Q. Now, when you say they, do you know who  
14 you're talking about?

15 A. Yeah. The jailer, I guess, you would  
16 call him, the person at the front desk. When I  
17 went to check in or ask to visit him, they said  
18 they wasn't able to take outside items to give to  
19 him.

20 Q. So you didn't know really what was in  
21 the bag?

22 A. Well, I didn't. I knew, but I didn't,  
23 per se, put my eyes on it. I knew from what she  
24 gave me. And I, you know, I took her at her word  
25 that it was what it was, because it was some

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1 A. Well, I actually went up there myself to  
2 visit him mainly because he's -- he's a relative,  
3 and he was a neighbor. And, also, you know, I  
4 knew him. And I just try to keep tabs with people  
5 that I associate and know personally when they are  
6 incarcerated.

7 Q. Did he tell you anything about what  
8 occurred between him and Ms. Graham?

9 A. Well, he did. He just said it was a  
10 mistake. And I don't really go into details when  
11 dealing with issues like that. I just try to  
12 encourage them and help them do the right thing  
13 and make the right decision and turn to the Lord  
14 and ask for forgiveness for what they have done.

15 So, you know, I -- he tried. And I  
16 really don't pry into personal business like that.  
17 My main thing is just to make sure he's got a  
18 stable mind and had his bearings straight at that  
19 point.

20 Q. Did you bring anything to the jail with  
21 you when you went on either occasion?

22 A. Well, the second time when she asked was  
23 I going to visit him, and I went and asked if she  
24 suggested -- I wouldn't say it was a suggestion.  
25 She just asked if I was going there. And I told

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1 underclothes that I could very well say that I  
2 knew -- knew it was pill bottle in there. What it  
3 was, I don't know, because I didn't open it and  
4 look in it because it was personal.

5 Q. Uh-huh (affirmative response).

6 A. And so I knew it was some clothing and  
7 also some pills, some medication.

8 Q. Now, you said it was a pill bottle.

9 Was it only one?

10 A. I think it was maybe two. Two pill  
11 bottles.

12 Q. Okay. And as you sit here today, do you  
13 know the names of any of the medication in those  
14 pill bottles?

15 A. No, I don't know. Like I say, I  
16 didn't -- I didn't look in the bag. I don't -- I  
17 didn't pry to see what it was.

18 Q. Did they look like prescription pill  
19 bottles?

20 A. Well, I knew that he was on -- he was  
21 taking medication, because like I say, we talked  
22 because we were neighbors.

23 And we would talk just about every  
24 day, because I would see him. And I knew that he  
25 was taking -- he was taking medication, so I just

3 (Pages 6 to 9)

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Page 10	<p>1 assumed that it was his medication.</p> <p>2 Because she had -- she wanted to</p> <p>3 get it to him pretty bad because she said he</p> <p>4 needed it. Because he was dealing with some</p> <p>5 health issues at the time, and so that was -- that</p> <p>6 was that.</p> <p>7 Q. And do you know -- and you don't know</p> <p>8 when the second time was that you went up there to</p> <p>9 visit with him? Even a month?</p> <p>10 A. Well, the first time I went there -- let</p> <p>11 me think. When it first happened, it was maybe a</p> <p>12 day after it happened I went there to visit him.</p> <p>13 Then the next visit was pretty shortly after that.</p> <p>14 I want to say it was around -- I hate to get my</p> <p>15 dates wrong, because, like I say, it has been a</p> <p>16 while and --</p> <p>17 Q. If he was --</p> <p>18 A. -- it might have been around April,</p> <p>19 May, somewhere in there.</p> <p>20 Q. He was arrested and incarcerated</p> <p>21 November the 10th of 2009.</p> <p>22 A. Wow.</p> <p>23 Q. And he died April of -- April 6th of</p> <p>24 2010. Those are the dates that we are --</p> <p>25 A. Okay.</p>
Page 11	<p>1 Q. -- working with. Would you --</p> <p>2 A. Well, I knew -- I know it was fairly</p> <p>3 warm. Wasn't hot about this time of the year was</p> <p>4 the second visit. So it had to be, you know, if</p> <p>5 he was arrested in November, I saw him in November</p> <p>6 when he first -- so it was around March when I saw</p> <p>7 him. Shortly before he died.</p> <p>8 Q. All right. So around March of 2010, is</p> <p>9 when you actually brought the medication --</p> <p>10 A. Right.</p> <p>11 Q. -- up to the jail?</p> <p>12 A. Right.</p> <p>13 Q. Okay. Do you recall what the jailer</p> <p>14 looked like that you spoke with? Male or female?</p> <p>15 A. It was two. It was a male and a female</p> <p>16 there. I actually knew both of them because they</p> <p>17 went to high school with me. Well, one of -- the</p> <p>18 guy did, went to high school with me. I want to</p> <p>19 say his name was Maurice. It was -- he had a twin</p> <p>20 brother. Laurice and Maurice, I believe. It was</p> <p>21 one of those two. And the girl was --</p> <p>22 Q. Do you know their last name?</p> <p>23 A. I don't.</p> <p>24 Q. Okay.</p> <p>25 A. I can't remember the girl's name. I</p>
Page 12	<p>1 know her as well, but I can't remember her name --</p> <p>2 to call her name. So...</p> <p>3 Q. Now, were they working the front door?</p> <p>4 A. Well, the lady -- the young lady was</p> <p>5 working the front. Well, actually, I guess both</p> <p>6 of them were considered working the first, because</p> <p>7 they would make rounds.</p> <p>8 And he was just actually there</p> <p>9 before he make -- made his rounds, because he said</p> <p>10 he had to make the rounds, and he would have him</p> <p>11 come up to the visiting part on his way through.</p> <p>12 So both of them actually worked up there on that</p> <p>13 shift during that time.</p> <p>14 Q. Now, when the guards told you that they</p> <p>15 could not accept outside medication, what did you</p> <p>16 do with the bag?</p> <p>17 A. I just brought it back to Ms. Graham and</p> <p>18 told them that she -- you know, they wouldn't</p> <p>19 accept it.</p> <p>20 Q. And immediately that day in March of</p> <p>21 2010, when the guards -- when you had the bag with</p> <p>22 you inside the jail and said, "I would like to</p> <p>23 deliver this to Albert Graham," the guards say,</p> <p>24 "We can't accept outside medication," did you walk</p> <p>25 right back out to your car at that time?</p>
Page 13	<p>1 A. No. I actually -- I think he</p> <p>2 actually -- if I -- like I say, it has been a</p> <p>3 while. I want to say either he kept it till after</p> <p>4 I finished visiting with him or I don't know if I</p> <p>5 took it back. Because it was behind the glass. I</p> <p>6 wouldn't be able to have physical contact with</p> <p>7 him.</p> <p>8 Q. Right.</p> <p>9 A. So I don't know if I had it with me when</p> <p>10 I went there and just sat it down or he kept it</p> <p>11 and gave it back as I was departing. But I know</p> <p>12 that he said that they couldn't accept any outside</p> <p>13 personal items or things from anyone to give to</p> <p>14 him.</p> <p>15 Q. You had obviously met Mr. Graham prior</p> <p>16 to him being incarcerated; is that right?</p> <p>17 A. Right.</p> <p>18 Q. Did you notice anything different about</p> <p>19 Mr. Graham when you visited with him in March, for</p> <p>20 instance, of 2010?</p> <p>21 A. Well, actually, he looked a lot cleaner.</p> <p>22 Well, not cleaner, but, you know, more at a calmer</p> <p>23 state, so to speak. He looked -- he looked sane.</p> <p>24 He didn't seem to me to have any problems, so to</p> <p>25 speak.</p>

4 (Pages 10 to 13)

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1 He was calm. He knew he had made a  
2 mistake. He regretted he made that mistake and --  
3 but he never mentioned anything to me as, you  
4 know, physical wrong with him or mentally wrong  
5 with him or anything like that, illness.  
6 Q. When you say he looked cleaner and  
7 calmer, were you aware of his addictions --  
8 A. Yes.  
9 Q. -- when he was in the community?  
10 A. Yeah. I knew that he had a drinking  
11 problem because, like I say, he lived next door  
12 and -- he's always shown me respect and just -- I  
13 mean, when I say cleaner, he was more, per se, as  
14 not as rugged looking as he was during every day.  
15 Because he did a lot of walking the  
16 street, or he would go through the woods and hunt  
17 and just things of that nature. And he just was a  
18 lot cleaner looking as far as what he had on and  
19 how he -- was shaving or his hair. Just cleaner,  
20 you know.  
21 Q. Right.  
22 A. So.  
23 Q. Now, living next door to him did you  
24 also know that he had an addiction to crack  
25 cocaine?

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1 A. No, I didn't. I have heard, but I, per  
2 se, not physically, like I say, seeing him do  
3 anything, because he respected me.  
4 I just, you know, you could hear a  
5 lot of things and --  
6 Q. Sure.  
7 A. -- and people say a lot of things. So,  
8 you know, until I know for myself or see for  
9 myself, I don't usually go on what people say  
10 about a person. But I have heard that, you know,  
11 he did have a drug addiction. But I knew that he  
12 drank. I saw him drink. But other than that,  
13 that was it.  
14 Q. How often would you see him drinking?  
15 A. Not often. He might have a can of beer  
16 or something. When I am outside mowing the yard  
17 or something or he would walk out at the edge of  
18 the adjoining yards and, you know, just kind of  
19 talk to me. Because his dog -- he had a bunch of  
20 dogs, and he would call them from over there. And  
21 so he would have a can of beer occasionally, I  
22 would say, when I would see him.  
23 Q. Okay. Were you at home or do you have  
24 any firsthand knowledge of the incident that  
25 occurred in November of -- specifically November

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1 10th, 2009, when he shot Ms. Graham?  
2 A. No. I actually -- I wasn't at home. I  
3 don't -- I don't think. No. I wasn't at home. I  
4 got a call that he did. And immediately I  
5 called -- I tried to call Ms. Jeanetter. And then  
6 I called her or her cousin or sister -- cousin or  
7 something, Michelle Barnett. And that's when she  
8 told me what happened. They were at the hospital  
9 at the time.  
10 So I didn't -- I don't -- I wasn't  
11 actually at home when it happened, because it was  
12 right there, I guess, at home. Because if I had  
13 known it, I would have, you know, seen it or heard  
14 it, but I wasn't there at that time.  
15 Q. Did you go visit Ms. Graham in the  
16 hospital?  
17 A. Yeah. I went -- I went to see her at  
18 the Laurel Emergency Room. And, you know, she  
19 just explained what happened. And I prayed for  
20 her, and that was it. I left.  
21 Q. Had you ever seen Albert Graham threaten  
22 Ms. Graham prior to that day?  
23 A. No. No. I never seen him threaten her,  
24 but I knew they had arguments. You know, every  
25 family has arguments. I would kind of hear them

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1 every now and then, you know, yell or fuss or  
2 something like that. But it wasn't to a point to  
3 where I would say he was abusive or he was  
4 threatening or -- from my knowledge.  
5 Q. Are you related to Curtis Ulmer?  
6 A. Curtis Ulmer, that is my uncle.  
7 Q. Okay. Are you related to Lou Ulmer?  
8 A. Lou Ulmer?  
9 Q. L-O-U. Female?  
10 A. That's, I guess, Lou Aldridge Ulmer  
11 or -- would it be that? I know a Lou. I didn't  
12 know her last name was Ulmer. But there's --  
13 there's several sets of Ulmers right around that  
14 part. And from my knowledge, I don't think we are  
15 related. But I know of them.  
16 Q. Okay. I think she has a son. Perhaps  
17 Hilma Jones?  
18 A. Emma Jones?  
19 Q. Right.  
20 A. I am not familiar with -- with him --  
21 with those.  
22 Q. Okay. You wrote a letter dated  
23 10/14/2010 and addressed it "to whom it may  
24 concern."  
25 Who asked you to write the letter?

5 (Pages 14 to 17)

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<p style="text-align: right;">Page 18</p> <p>1 MR. SANDERS: I don't think that's the</p> <p>2 correct date.</p> <p>3 MR. DARE: 10/14/2010?</p> <p>4 MR. SANDERS: Yeah. Because I have it</p> <p>5 as 10/5/10. It is Jerald Ulmer, right?</p> <p>6 MR. DARE: Terry.</p> <p>7 MR. SANDERS: Terry. Oh, I'm sorry.</p> <p>8 Okay.</p> <p>9 A. Can I see that letter?</p> <p>10 BY MR. DARE:</p> <p>11 Q. Yes, sir. In fact, what I will do, this</p> <p>12 is JG-8. And it is marked -- it will be marked as</p> <p>13 Exhibit 1 to your deposition.</p> <p>14 (Exhibit No. 1 marked for</p> <p>15 identification.)</p> <p>16 BY MR. DARE:</p> <p>17 Q. You can take the time to look through</p> <p>18 that. I think that date is wrong.</p> <p>19 A. I think that date is wrong, if I'm not</p> <p>20 mistaken.</p> <p>21 Q. Well, let's start from the beginning.</p> <p>22 Is all of that your handwriting?</p> <p>23 A. No. That is my signature. But it is</p> <p>24 not my handwriting. My wife might have wrote it</p> <p>25 for me.</p>	<p style="text-align: right;">Page 20</p> <p>1 know, like I say, I -- this is not my handwriting.</p> <p>2 But it is my signature, so.</p> <p>3 Q. Have you -- well -- and please don't</p> <p>4 take off with that.</p> <p>5 A. Okay.</p> <p>6 Q. Have you ever tried to deliver</p> <p>7 medication to anybody else at the Jones County</p> <p>8 Jail?</p> <p>9 A. No. Like I say, there are several</p> <p>10 people -- I usually go down there and minister. I</p> <p>11 was with one group before that we actually did</p> <p>12 devotion for the jailers in there. I visited, I</p> <p>13 guess, one of my members that was incarcerated</p> <p>14 there similar to that -- this type of incident</p> <p>15 dealing with domestic.</p> <p>16 So, you know, I go there and visit</p> <p>17 often. But I never have been asked to take or</p> <p>18 deliver any clothes or meds to this point. Like I</p> <p>19 say, this was the first time I ever was asked to,</p> <p>20 you know, take personal items and medication down</p> <p>21 to a --</p> <p>22 Q. Have you ever been asked since that</p> <p>23 time?</p> <p>24 A. No. No.</p> <p>25 MR. DARE: Reverend Ulmer, I appreciate</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. So the only part on here is your</p> <p>2 signature?</p> <p>3 A. Just my signature, exactly.</p> <p>4 Q. And as you sit here today, do you know</p> <p>5 who actually wrote this?</p> <p>6 A. I'm assuming my wife, because if it's</p> <p>7 anything that I signed, she would write it for me.</p> <p>8 She does a lot of writing and typing for me, and I</p> <p>9 sign it. But this is definitely not my</p> <p>10 handwriting.</p> <p>11 Q. And you don't know who put the date up</p> <p>12 there as 10/14/2010?</p> <p>13 A. No.</p> <p>14 Q. Do you know why this document was</p> <p>15 created, whether in October of 2010 or at any</p> <p>16 other time?</p> <p>17 A. Well, I knew that she was upset about</p> <p>18 not being able to get him his prescriptions and</p> <p>19 get his medication. And like I say, she might</p> <p>20 have asked if I would write a letter stating that</p> <p>21 I had -- did deliver or tried to attempt to</p> <p>22 deliver it. And I told her, you know, I would.</p> <p>23 And I'm assuming my wife wrote</p> <p>24 this, and I signed it. So that's -- yeah. I</p> <p>25 mean, everything happened as it states. But, you</p>	<p style="text-align: right;">Page 21</p> <p>1 you coming up for this deposition here today.</p> <p>2 And I am going to tender the witness.</p> <p>3 EXAMINATION BY MR. SANDERS:</p> <p>4 Q. I have a couple of questions.</p> <p>5 Did you have any discussions with</p> <p>6 Mr. Graham about not being able to deliver the</p> <p>7 medication?</p> <p>8 A. I did. I did tell him I tried. His</p> <p>9 wife sent him some things. Sent him his</p> <p>10 medication. And I told him that I wasn't able to</p> <p>11 deliver it to him. Well, they weren't able to</p> <p>12 give it to him -- any outside things to him. So</p> <p>13 he did ask me if I brought his meds and some</p> <p>14 underwear and clothing.</p> <p>15 Q. Uh-huh (affirmative response).</p> <p>16 A. But, I think, if I can remember, there</p> <p>17 was some underclothing and stuff like that.</p> <p>18 Q. Okay. Did he seem concerned about his</p> <p>19 medication?</p> <p>20 A. At that point, he asked about it. But</p> <p>21 he wasn't -- he wasn't to a point to where he was</p> <p>22 just furious about not having it. He asked if she</p> <p>23 sent it, and I said, "Yeah. She sent it," but I</p> <p>24 wasn't -- they wouldn't allow me to give it to</p> <p>25 him --</p>

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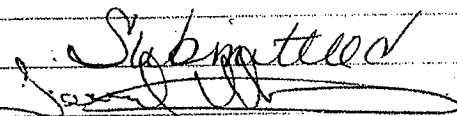
<p style="text-align: right;">Page 22</p> <p>1 Q. Okay.</p> <p>2 A. -- other than that.</p> <p>3 Q. All right.</p> <p>4 MR. SANDERS: I don't have anything</p> <p>5 else.</p> <p>6 FURTHER EXAMINATION BY MR. DARE:</p> <p>7 Q. Do you know, as you sit here today, why</p> <p>8 Ms. Graham herself didn't bring the medication up</p> <p>9 to him in March of 2010?</p> <p>10 A. No, I don't. I don't. I know she asked</p> <p>11 if I would take it. Well, I take that back. I</p> <p>12 don't think that with the circumstances that they</p> <p>13 were going through that she was allowed to -- to</p> <p>14 visit him at that point. I don't know.</p> <p>15 But I knew that she knew that I</p> <p>16 would go up there and that I would have more, per</p> <p>17 se, as being a minister and able to visit him more</p> <p>18 regularly than she would. I think it was during</p> <p>19 the time that visiting hours weren't permitted.</p> <p>20 And -- and they do allow clergymen to visit at any</p> <p>21 time of the day or any point of the -- that they</p> <p>22 wanted to.</p> <p>23 Q. All right.</p> <p>24 A. So, I wouldn't say that she didn't want</p> <p>25 to take them herself, but it was just during that</p>	<p style="text-align: right;">Page 24</p> <p>1 CERTIFICATE OF COURT REPORTER</p> <p>2 I, Todd J. Davis, Court Reporter and</p> <p>3 Notary Public in and for the County of Madison,</p> <p>4 State of Mississippi, hereby certify that the</p> <p>5 foregoing pages contain a true and correct</p> <p>6 transcript of the testimony of TERRY ULMER, as</p> <p>7 taken by me in the aforementioned matter at the</p> <p>8 time and place heretofore stated, as taken by</p> <p>9 stenotype and later reduced to typewritten form</p> <p>10 under my supervision to the best of my skill and</p> <p>11 ability by means of computer-aided transcription.</p> <p>12 I further certify that under the</p> <p>13 authority vested in me by the State of Mississippi</p> <p>14 that the witness was placed under oath by me to</p> <p>15 truthfully answer all questions in this matter.</p> <p>16 I further certify that I am not in the</p> <p>17 employ of or related to any counsel or party in</p> <p>18 this matter and have no interest, monetary or</p> <p>19 otherwise, in the final outcome of this matter.</p> <p>20 Witness my signature and seal this the</p> <p>21 3RD day of APRIL, 2014.</p> <p>22</p> <p>23 <u>TODD J. DAVIS, CSR #1406</u></p> <p>24 My Commission Expires:</p> <p>25 March 27, 2017</p>
<p style="text-align: right;">Page 23</p> <p>1 time that -- when it was non-visiting hours, per</p> <p>2 se.</p> <p>3 MR. DARE: Again, thank you for coming</p> <p>4 here. I have no other questions.</p> <p>5 THE WITNESS: All right.</p> <p>6 (Ended at 11:52 a.m.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	

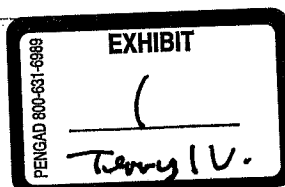
7 (Pages 22 to 24)

10/14/2010

To Whom it may concern:

This letter is written to verify that I attempted to deliver medication to Mr. Albert Lee Graham ~~and~~ at the Jones County Adult Jail. Some months ago I was not allowed to leave medication for Mr. Graham. The guards refused to take outside meds. I did not argue or complain. I simply returned the medication to his wife Jeanmattel Graham. If you have any further questions, please call me at 601 319 1736

Submitted  
  
Rev. Terry M. Ulmer  
2493 Bush Dairy Rd  
Laurel, MS 39443  
601 319 1736



JG008